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April 4, 2025

**VIA ECF**

Honorable Brian R. Martinotti, U.S.D.J.  
United States District Court  
District of New Jersey  
U.S. Post Office & Courthouse  
2 Federal Square  
Newark, NJ 07102

**Re: *In re: Insulin Pricing Litigation*, MDL No. 3080  
Case No. 2:23-md-03080-BRM-RLS  
April 8, 2025 CMC Agenda and Biweekly Update**

Dear Judge Martinotti:

We write on behalf of the parties to submit a proposed agenda for the Case Management Conference scheduled for Tuesday, April 8, 2025, and to provide a biweekly update. For the Court's consideration, we have also attached updated lists of pending cases and motions.

**CMC Agenda****1. Motions to Dismiss in Self-Funded Payer Track****Plaintiffs' position:**

On March 6, 2025, the SFP Track Plaintiffs and Defendants submitted a joint letter to the Court following up on the parties' discussions with the Court during the February 2025 Case Management Conference regarding Defendants' pending Motions to Dismiss filed in the SFP Track. *See* ECF No. 448. In that correspondence, SFP Track Plaintiffs proposed that "oral argument tailored to Defendants' statute-of-limitations defense . . . could be of assistance to the Court in more specifically addressing Defendants' arguments in the context of" the *Albany County*, *Lake County*, and *King County* complaints that are the subjects of the Motions to Dismiss. *Id.* The parties will be prepared to discuss the Court's views on the most appropriate process, if any, to address this issue.

**Defendants' position:**

Defendants do not believe that the first topic is an appropriate agenda item. Both parties presented their positions to the Court in the joint letter. ECF No. 448. If the Court has questions about those positions, the parties of course can address them.

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**2. Appointment of special master regarding common-benefit issues (non-class tracks).**

Plaintiffs' leadership in the non-class tracks have conferred regarding the appointment of a special master to oversee common-benefit issues and will be prepared to discuss the status of their discussions with the Court.

**Biweekly Update**

1. The PBM Defendants have continued to meet and confer with Plaintiffs about custodians and discovery responses.
2. Defendants have met and conferred with certain Plaintiffs in the SFP and AG Track regarding their Plaintiff Fact Sheet responses.
3. On March 28, 2025, Defendants filed a reply (ECF No. 485) in support of their request to amend CMO 14 (ECF No. 464).
4. On April 4, 2025, Plaintiffs provided Defendants with proposed edits to the draft deposition protocol.

\* \* \*

Thank you for your continuing attention to this matter.

Respectfully submitted,

/s/ Joanne Cicala

Joanne Cicala

*Liaison Counsel for*

*State Attorney General Track*

/s/ David R. Buchanan

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*Liaison Counsel for*

*Self-Funded Payer Track*

/s/ Matthew Gately

Matthew Gately

*Liaison Counsel for*

*Class Action Track*

/s/ John D. Tortorella

John D. Tortorella

Enclosures

cc: Honorable Rukhsanah L. Singh, U.S.M.J. (via ECF)  
Counsel of Record (via ECF)